

KAPLAN LAW GROUP  
 BRITTANY A. KAPLAN, ESQ.  
 Nevada Bar No. 13663  
 Email: [brittany@kaplanlawgroup.com](mailto:brittany@kaplanlawgroup.com)  
 KORY L. KAPLAN, ESQ.  
 Nevada Bar No. 13164  
 Email: [kory@kaplanlawgroup.com](mailto:kory@kaplanlawgroup.com)  
 10091 Park Run Drive, Suite 190  
 Las Vegas, Nevada 89145  
 Telephone: (702) 381-8888  
 Facsimile: (702) 832-5559  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

KIRK MAYEDA,

Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS, INC.  
 a/k/a KROGER, a Foreign Corporation;  
 SECURITAS SECURITY SERVICES USA,  
 INC., a Foreign Corporation; DOE EMPLOYEE;  
 DOES I-X; ROE ENTITIES I-X, inclusive,

Defendants.

CASE NO. 2:24-cv-01733-CDS-EJY

**~~PROPOSED~~ DISCOVERY PLAN AND  
 SCHEDULING ORDER**

On February 24, 2025, undersigned counsel for Plaintiff Kirk Mayeda, for Defendant Smith's Food & Drug Center, Inc. a/k/a Kroger ("Smith's"), and for Defendant Securitas Security Services USA, Inc. ("Securitas") conferred in accordance with Fed. R. Civ. P. 26(f). Plaintiff filed his First Amended Complaint on December 18, 2024. Defendant Smith's filed its Answer on December 26, 2024. Defendant Securitas filed its Answer on February 5, 2025. A Stipulation and Order to Extend Discovery (First Request) was granted on January 7, 2025, extending discovery deadlines by 60 days. A Discovery Plan and Scheduling Order was entered on February 10, 2025 between Plaintiff and Defendant Smith's while waiting on the appearance and scheduling of the Fed. R. Civ. P. 26(f) conference with Defendant Securitas. As Defendant Securitas has just appeared in this action, good cause exists to give the parties an additional 60 days to complete discovery as Defendant Securitas just filed its appearance in the case. The undersigned hereby

KAPLAN LAWGROUP  
 10091 Park Run Drive, Suite 190  
 Las Vegas, Nevada 89145  
 Tel: (702) 381-8888 Fax: (702) 832-5559

submit the following Proposed Discovery Plan and Scheduling Order required by Fed. R. Civ. P. 26(f).

**Proposed Deadline for Amending Pleadings and Joining Additional Parties.**

The parties agree that a reasonable deadline for amending pleadings and joining additional parties is June 13, 2025.

**1. Magistrate.**

The parties have conferred and do not consent to a trial by a magistrate judge or the use of the Short Trial Program.

**2. Proposed Discovery Plan.**

a. **Initial Disclosures.** Defendant Smith's provided its initial disclosures to Plaintiff on October 31, 2024. Plaintiff provided his initial disclosures to Defendant Smith's on October 22, 2024. Defendant Smith's and Plaintiff will provide their initial disclosures to Defendant Securitas by March 6, 2025. Defendant Securitas will provide its initial disclosures by March 6, 2025.

b. **Subjects and potential phasing of Discovery.** The parties anticipate conducting discovery in this action regarding: (1) the claims and allegations in Plaintiff's Complaint; (2) Defendant's affirmative and other defenses thereto; and (3) expert witnesses identified by the parties. Specifically, each party intends to pursue discovery related to the subject incident and injuries to Plaintiff. The parties do not propose phasing discovery.

c. **Electronically stored information.** No issues at this time. The parties will meet and confer should any issues arise prior to involving the Court.

d. **Privilege issues.** None at this time.

e. **Proposed limitations on discovery.** None at this time.

f. **Discovery related orders.** A Stipulation and Order to Extend Discovery (First Request) was granted on January 7, 2025. A Discovery Plan and Scheduling Order between Plaintiff and Defendant Smith's was entered on February 10, 2025.

g. **Expert related discovery.** Per LCR 26(b)(3), expert disclosures will be made by July 14, 2025, and rebuttal experts will be disclosed by August 13, 2025.

KAPLAN LAW GROUP  
10091 Park Run Drive, Suite 190  
Las Vegas, Nevada 89145  
Tel: (702) 381-8888 Fax: (702) 832-5559

1           **3. Proposals for prompt case resolution.** The parties believe the case may be  
2 resolved after some initial discovery.

3           a.       **Alternative dispute resolutions.** The parties have conferred and discussed  
4 settlement and agree to revisit the issue after some discovery has been conducted.

5           b.       **Related cases.** None.

6           c.       **Discovery management.** The parties believe they can cooperate in the  
7 management of discovery.

8           d.       **Preservation of discoverable information.** No issues at this time.

9           **4. Date by which discovery can be completed.** September 12, 2025.

10          **5. Dispositive motion deadline.** October 13, 2025.

11          **6. Joint pretrial order deadline.** November 12, 2025, or in the event that the Parties  
12 file dispositive motions, the date for filing the joint pretrial order shall be suspended until thirty  
13 (30) days after decision on the dispositive motions or further order of the Court. The disclosure  
14 required by Federal Rule of Civil Procedure 26(a)(3) and objections thereto shall be made in the  
15 pre-trial order.

16          **7. Extension of Discovery Deadline:** Requests to extend the discovery shall comply  
17 with Federal Rule of Civil Procedure 16 and LR 26-3.

18          **8. Discovery Phasing.** None.

19          **9. Scheduling Conference.** The parties agree that there is no need for a scheduling  
20 conference prior to a scheduling order being issued in this case.

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

KAPLAN LAW GROUP  
10091 Park Run Drive, Suite 190  
Las Vegas, Nevada 89145  
Tel: (702) 381-8888 Fax: (702) 832-5559

1           **10. Electronic Service:** The parties have agreed that, to the extent possible in light of  
2 the volume of the submission, all court filings, to the extent not served through ECF (e.g., filings  
3 under seal), may be served via e-mail, and such service shall constitute proper service under Fed.  
4 R. Civ. P. 5(b)(2)(E). The parties have further agreed that each party may serve discovery, in lieu  
5 of other service methods, by e-mail under Fed. R. Civ. P. 5(b)(2)(E) on all counsel who have  
6 entered an appearance on behalf of the party to be served.

7           Dated this 28th day of February, 2025

8           KAPLAN LAW GROUP

9           By: /s/ Brittany A. Kaplan, Esq.  
10           BRITTANY A. KAPLAN, ESQ.  
11           Nevada Bar No. 13663  
12           10091 Park Run Drive, Suite 190  
13           Las Vegas, Nevada 89145  
14           Attorneys for Plaintiff

15           AND

16           COOPER LEVENSON, P.A.

17           By: /s/ Scott L. Stonehocker, Esq.  
18           SCOTT L. STONEHOCKER, ESQ.  
19           Nevada Bar No. 005512  
20           3016 West Charleston Boulevard #195  
21           Las Vegas, NV 89102  
22           Attorneys for Defendant Smith's Food & Drug  
23           Centers, Inc. a/k/a Kroger

24           **IT IS SO ORDERED.**

25             
26           U.S. MAGISTRATE JUDGE

27           AND

28           SPRINGEL & FINK LLP

          By: /s/ Nakesha Duncan-Perez, Esq.  
          LEONARD T. FINK, ESQ.  
          Nevada Bar No. 6296  
          NAKESHA DUNCAN-PEREZ  
          Nevada Bar No. 11556  
          9075 W. Diablo Drive, Suite 302  
          Las Vegas, NV 89148  
          Attorneys for Defendant Securitas Security  
          Services USA, Inc.

**Date: February 28, 2025**